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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/724,658
Filing Date: November 28, 2000
Appellant(s): CROSBY ET AL.

Pamela R. Crocker
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 6/30/2004 appealing from the Office action mailed 4/5/2004 and 11/25/2003.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

1. Claims 1-10, 13-15, 16-25 and 28-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokomizo U.S. Patent No. 6,522,418 (hereinafter Yokomizo).

2. Claim 1:

Yokomizo teaches a method of processing an image object included in an associated image object file at the first node so as to provide on-demand rasterization appropriate for the second output device (column 11, lines 5-20), in a distributed system having a first node coupled to a first output device and a second node coupled to a second output device (figure 9), comprising:

Forwarding the image object and the associated state information file to the second node (e.g., column 10, lines 15-60; column 13, lines 20-28; column 16, lines 58-67; column 19, lines 1-10);

Appropriately rasterizing the image object based upon the second output device as needed (figure 9; column 11, lines 5-20); and

Outputting the appropriately rasterized image object at the second output device (column 6, lines 3-14; column 7, lines 40-55; column 11, lines 5-20).

(2) However, it is not clear whether Yokomizo fully discloses the claim limitation of "Associating a state information file to the image object whereby the state information file comprises an edit list having an embedded edit list and an external edit list wherein the external

edit list comprises links to a plurality of multimedia assets that may be embedded in the resulting image object."

(3) Nevertheless, Yokomizo discloses associating a state information file (in the form of the script file for the editorial results; column 12, lines 50-67; OR the script file written in the page description language, column 21, lines 5-10; OR the script file written in Java applet; column 15, lines 10-15) to the image object (column 5, lines 45-67; column 6, lines 1-15; column 10, lines 15-60; column 21, lines 5-30) whereby the state information file comprises an edit list (such as the editorial information) having an embedded edit list (Java applet listing the image files and templates residing on the client's end) and an external edit list wherein the external edit list comprises links (proxy editorial software written in a Java applet generates editorial information that is used to download the image files and templates from the server's end through the CGI interface) to a plurality of multimedia assets (image files and templates on the server's end) that may be embedded in the resulting image object (Yokomizo also teaches the proxy editorial plug-in device of the client's end. The proxy editorial software performs functions such as the automatic generation of homepage, downloading of image files and templates from the server's end as requested by the client and access to the database for information from the server's end through the CGI program; e.g., column 14, lines 36-67; column 15, lines 1-23).

In other words, Yokomizo discloses "associating a state information file to the image object" or associating a Java applet file to the image object (In column 12, lines 47-50, the Java applet as prepared by the server is downloaded to the user's computer. In column 14, lines 44-46 wherein Yokomizo discloses downloading a designated file to a client (user) 7; in column 14,

lines 57-65, Yokomizo discloses the *basic editorial functions to be affected* on low-resolution images; in column 15, lines 1-16, Yokomizo discloses downloading of templates from the server as requested by the client and the database file 85 at the server's end can be accessed by the client through the ODBC interface) whereby the Java applet comprises an edit list having an embedded edit list (a basic editorial function list) and an external edit list (the Java applet requires accessing of templates or data from the server's end through the CGI program or ODBC interface; see column 14, line 44 to column 15, line 16); forwarding the low-resolution image object (i.e., the low-resolution thumbnail image or the proxy image to the client) and the associated state information file to the second node (forwarding through downloading or through delivery of CD-Rom to the client end); appropriately rasterizing the low resolution image object based upon the second output device as needed (e.g., the basic editing functions includes rotation, conversion, moving and *synthesis*; column 14 and rasterization includes *red-eye processing clearly shown* in Figs. 5-6. It is noted in column 11, lines 6-15 the rasterization can also be performed at the server's end on the high-resolution image based on red-eye processing); outputting the appropriately rasterized image object at the second output device (e.g., *displaying the edited image at the client's end*; for example the thumbnail image can be enlarged at a greater scale; see column 12, lines 30-45 and in column 13, lines 20-28, *the user can print out the image thus downloaded and edited* and thereby Yokomizo discloses outputting the edited or rasterized image at the client end wherein editing includes rasterizing such as red eye processing).

(4) It would have been obvious to one of ordinary skill in the art to have incorporated the a variety of edit lists into Yokomizo's method because Yokomizo teaches script files in the form of page description language or Java applets comprising a variety of edit lists linking to the image files and templates on both the client's end and server's end. Yokomizo further teaches using Java applets for downloading the image files and template on the server's end if necessary by calling the CGI interface from the client's computer (e.g., column 14, lines 36-67; column 15, lines 1-23) and the claimed limitation suggests an obvious modification of Yokomizo.

(5) One having the ordinary skill in the art would have been motivated to do this because it would have provided a state information file in the form of a variety of simple edit lists for modifying the (high-resolution/low-resolution) input images.

Claim 2:

The claim 2 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the state information file including an edit list and the image object file including a digital negative associated with the image object. However, Yokomizo further discloses the claimed limitation of the state information file including an edit list (column 10, lines 15-61) and the image object file including a digital negative associated with the image object (column 4, lines 30-50).

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of the appropriately rasterized image object being a composite image.

However, Yokomizo further discloses the claimed limitation of the appropriately rasterized image object being a composite image (e.g., column 21, lines 5-67; column 22, lines 1-49).

Claim 4:

The claim 4 encompasses the same scope of invention as that of claim 3 except additional claimed limitation of determining whether the embedded edit list being populated with an at least one embedded edit list element and retrieving the at least one embedded edit list element included in the embedded edit list and retrieving the digital negative if it is determined that the edit list is populated with the at least one embedded edit list element. However, Yokomizo further discloses the claimed limitation of determining whether the embedded edit list being populated with an at least one embedded edit list element (e.g., the editorial scripts or software determines editorial list including the image files and templates to be retrieved from the client's end) and retrieving the at least one embedded edit list element included in the embedded edit list and retrieving the digital negative if it is determined that the edit list is populated with the at least one embedded edit list element (e.g., column 4, lines 30-50; column 9, lines 30-60; column 11, lines 5-15; column 14, lines 36-67; column 15, lines 1-23; column 16, lines 58-67; column 18, lines 60-67).

Claim 5:

The claim 5 encompasses the same scope of invention as that of claim 3 except additional claimed limitation of determining whether the external edit list being populated with an at least one external edit list element and locating the external edit list based upon an external edit list pointer and retrieving the at least one external edit list element included in the external edit list if it is determined that the edit list is populated with the at least one external edit list element. However, Yokomizo further discloses the claimed limitation of determining whether the external

edit list being populated with an at least one external edit list element and locating the external edit list based upon an external edit list pointer (e.g., the Java applets or Dynamic Link Library inherently associates a link to the image files and templates on the server's end for retrieval of the files on the other computer, see also column 17, lines 20-26) and retrieving the at least one external edit list element included in the external edit list if it is determined that the edit list is populated with the at least one external edit list element (e.g., the editorial scripts or software determines editorial list including the image files and templates to be retrieved from the server's end; column 4, lines 30-50; column 9, lines 30-60; column 11, lines 5-15; column 14, lines 36-67; column 15, lines 1-23; column 16, lines 58-67; column 18, lines 60-67).

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 4 except additional claimed limitation that rasterizing comprises determining a resolution appropriate to the second output device based upon the retrieved edit list element and outputting the rasterized digital image.

However, Yokomizo further discloses the claimed limitation that rasterizing comprises determining a resolution appropriate to the second output device based upon the retrieved edit list element and outputting the rasterized digital image (e.g., column 20, lines 3-63; column 22, lines 30-50).

Claim 7:

The claim 7 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that rasterizing comprises determining a resolution appropriate to the second

output device based upon the retrieved external edit list element and outputting the rasterized digital image.

However, Yokomizo further discloses the claimed limitation that rasterizing comprises determining a resolution appropriate to the second output device based upon the retrieved external edit list element and outputting the rasterized digital image (e.g., column 20, lines 3-63; column 22, lines 30-50).

Claim 8:

The claim 8 encompasses the same scope of invention as that of claim 4 except additional claimed limitation of the image object including a plurality of digital negatives.

However, Yokomizo further discloses the claimed limitation of the image object including a plurality of digital negatives (column 4, lines 30-50).

Claim 9:

The claim 9 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the image object file including a high-resolution image and the digital image being re-rasterized to form a lower resolution image as required by the second output device.

However, Yokomizo further discloses the claimed limitation of the image object file including a high resolution image and the digital image being re-rasterized to form a lower resolution image as required by the second output device (figure 9; column 11, lines 7-21).

Claim 10:

The claim 10 encompasses the same scope of invention as that of claim 9 except additional claimed limitation of the edit list including instructions describing how the digital image is to be re-rasterized.

However, Yokomizo further discloses the claimed limitation of the edit list including instructions describing how the digital image is to be re-rasterized (figure 9; column 11, lines 7-21).

Claim 13:

The claim 13 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the first output device being selected from a group comprising: a printer, a digital video camera, a digital still camera, a TV monitor, a low resolution LCD screen, TV.

However, Yokomizo further discloses the claimed limitation of the first output device being selected from a group comprising: a printer, a digital video camera, a digital still camera, a TV monitor, a low resolution LCD screen, TV (column 19, lines 1-8).

Claim 14:

The claim 14 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the second output device being selected from a group comprising: a printer, a digital video camera, a digital still camera, a TV monitor, a low resolution LCD screen, TV.

However, Yokomizo further discloses the claimed limitation of the second output device being selected from a group comprising: a printer, a digital video camera, a digital still camera, a TV monitor, a low resolution LCD screen, TV (column 21, lines 15-50).

Claim 15:

The claim 15 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the first node being connected to a first input device and the

second node being connected to a second input device; the first and the second input devices being each capable of modifying an associated image object.

However, Yokomizo further discloses the claimed limitation of the first node being connected to a first input device and the second node being connected to a second input device; the first and the second input devices being each capable of modifying an associated image object (figures 1-11; column 8, lines 45-55; column 4, lines 20-25).

Claims 16-25:

The claim 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 encompasses the same scope of invention as that of claim 1, 2, 3, 4, 5, 6, 7, 8, 9 10 except additional claimed limitation of an apparatus. However, Yokomizo further discloses the claimed limitation of an apparatus (e.g., figures 1-11).

3. Claims 11-12 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokomizo U.S. Patent No. 6,522,418 (hereinafter Yokomizo) in view of Phillips U.S. Patent No. 6,215,485 (hereinafter Phillips).

4. Claim 11:

(1) The claim 11 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of wirelessly transmitting the image object and the associated state information file to the second node from the first node.

(2) Yokomizo teaches all the claimed limitation of claim 1 as noted in above. However, it is not clear whether Yokomizo discloses the claimed limitation of wirelessly transmitting the image object and the associated state information file to the second node from the first node.

(3) Phiilips teaches the claimed limitation of wirelessly transmitting the image object and the associated state information file to the second node from the first node (Phillips column 23, lines 25-40).

(4) It would have been obvious to one of ordinary skill in the art to have incorporated the Phillips's wireless transmission technique into the Yokomizo's image processing method because Yokomizo suggests interconnection between the first node and the second node and a communication link between them through dial-up lines such as ISDN (column 5, lines 15-25) and therefore suggesting an obvious modification because a dial-up line between a client and a server can be achieved by a wireless transmission.

(5) One having the ordinary skill in the art would have been motivated to do this because it would have provided an image modification via wireless communication link such that the proxy image can be modified, scripted and the script can be sent via communication link where it may be transferred to the second for application to the original high-resolution digital image file.

Claim 12:

The claim 12 encompasses the same scope of invention as that of claim 11 except additional claimed limitation of the first node being coupled to the second node by way of a server node that directs the transmitting.

However, Yokomizo further discloses the claimed limitation of the first node being coupled to the second node by way of a server node that directs the transmitting (figure 9; column 21, lines 10-30).

Claims 26-27:

The claim 26, 27 encompasses the same scope of invention as that of claim 11, 12 except additional claimed limitation of an apparatus. However, Yokomizo further discloses the claimed limitation of an apparatus (figures 1-11).

Claim 28:

The claim 28 encompasses the same scope of invention as that of claim 4 except additional claimed limitation that some user selected portion of the at least one external edit list elements being not displayed in the appropriately rasterized image object. However, Yokomizo further discloses the claimed limitation that some user selected portion of the at least one external edit list elements (such as layouts or positions of slots) being not displayed in the appropriately rasterized image object (e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 29:

The claim 29 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that some user selected portion of the at least one external edit list elements being not displayed in the appropriately rasterized image object. However, Yokomizo further discloses the claimed limitation that some user selected portion of the at least one external edit list elements (such as layouts or positions of slots) being not displayed in the appropriately rasterized image object (e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 30:

The claim 30 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the at least one external edit list elements being a multimedia

asset. However, Yokomizo further discloses the claimed limitation of the at least one external edit list elements being a multimedia asset (such as image files and clip arts; see e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 31:

The claim 31 encompasses the same scope of invention as that of claim 30 except additional claimed limitation of the multimedia asset being selected from a digitized group comprising still images, video images, and vector artwork. However, Yokomizo further discloses the claimed limitation of the multimedia asset being selected from a digitized group comprising still images, video images, and vector artwork (such as image files and clip arts; see e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 32:

The claim 32 encompasses the same scope of invention as that of claim 19 except additional claimed limitation that some user selected portion of the at least one external edit list elements being not displayed in the appropriately rasterized image object. However, Yokomizo further discloses the claimed limitation that some user selected portion of the at least one external edit list elements (such as layouts or positions of slots) being not displayed in the appropriately rasterized image object (e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 33:

The claim 33 encompasses the same scope of invention as that of claim 20 except additional claimed limitation that some user selected portion of the at least one external edit list

elements being not displayed in the appropriately rasterized image object. However, Yokomizo further discloses the claimed limitation that some user selected portion of the at least one external edit list elements (such as layouts or positions of slots) being not displayed in the appropriately rasterized image object (e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 34:

The claim 34 encompasses the same scope of invention as that of claim 20 except additional claimed limitation of the at least one external edit list elements being a multimedia asset. However, Yokomizo further discloses the claimed limitation of the at least one external edit list elements being a multimedia asset (such as image files and clip art; see e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 35:

The claim 35 encompasses the same scope of invention as that of claim 34 except additional claimed limitation of the multimedia asset being selected from a digitized group comprising still images, video images, and vector artwork. However, Yokomizo further discloses the claimed limitation of the multimedia asset being selected from a digitized group comprising still images, video images, and vector artwork (such as image files and clip arts; see e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

(10) Response to Argument

5. On Page 5 of the Appeal Brief, applicant argues in essence with respect to the Claim 1 and similar claims that:

(A) "In applicant's invention, the high-resolution image and the edit list are located at the first node. The low-resolution image object and the State information file are forwarded to the second node where they are rasterized and printed. Thus a clear distinction is that in applicant's invention, the edit list is sent from the first node to the second node and used to rastorize the low-resolution image. In Yokomizo, the edit list is sent from the second node to the first node and used to print the high-resolution image."

In response to the arguments in (A), Yokomizo not only teaches rasterizing the high-resolution image at the "first node" upon receiving the editorial lists from the user at the "second node", but also teaches rasterizing the low-resolution image at the "second node." Yokomizo discloses in column 18, lines 45-67 that the user (at the second node) can download these low-resolution image data from the head office 20 or from the branch shop 10 through a communication line 20-5 or 30-6...simple programs and so forth (edit lists) to be used in the edition may be acquired by downloading from the HQ shop 20 (first node) and editorial kit 34 (edit lists) necessary for editorial processing may be obtained from or sent by the branch shop 10. The editorial kit includes the sample templates including a plurality of types of templates having predetermined output formats, which subsequently allows the user at the second node to edit the low-resolution image. Now turning to the amended claim 1, appellant failed to particularly point out "the image object" (or lacking precedent basis) within the claim limitation of "associating a state information file to the image object" set forth in line 6 of the claim 1. It thus cannot be ascertained whether associating the state information file to "the high-resolution image object" or "the low-resolution image object."

Nevertheless, Yokomizo teaches the editorial templates are associated with either the high-resolution image or the low-resolution image even before they were sent from the "first node" to the user at the "second node" (see for example, column 19, lines 20-58) because the templates or editorial functions are adapted to the image objects to be edited and are prepared in advance to permit the user to freely *change slots or layout* or to prohibit a change by the user (preparing in advance at the server's end the state information such as layout, positions of the templates, either fixed or flexible for the user's subsequent editing or rasterizing at the client's end). Moreover, the number of the editorial functions or templates prepared in advance on the server's end directly affects the subsequent rasterizing of the low-resolution image at the client's end (See column 10, lines 15-36). For example, if "red-eye processing" is not provided to the user, the user is not allowed to do red-eye processing. After the user receives the templates or editorial lists from the photo shop, the user can further personalizes the editorial work and further processes the low-resolution images including the rasterizing the low-resolution image with the editing work, or rasterizing the low-resolution image with the *red-eye processing* instruction available for the album editing (See Figs. 3, 5-6 and 8). Therefore, the user's further editing at the second node does not prevent the previous step of associating the templates as well as the plug-ins with the image objects. Moreover, the low-resolution image may be the proxy image or thumbnail image being displayed on the web page and downloaded to the user's location or sent from the dealer HQ or branch shop by thinning the high-resolution image and brought over as a file (Fig. 11) stored in a portable CD to the user (Figs. 5-6). Moreover, the edit lists can also be stored as state information file on a portable CD and are sent over to the user (Figs. 5-6). In Fig. 8, Yokomizo discloses more edits lists including proxy editing plug-in (an information file

having *applets*) at the client's end and these proxy editing plug-ins are supported by the proxy editing 84 at the server's end to allow downloading of further templates and accessing the database for further information, when necessary (linking information/templates/applets at the client's end to the information/templates/applets at the server's end). It should be pointed out that the low-resolution image is also linked to the high-resolution image.

Finally, it should be noted that Yokomizo also teaches "embedded edit list" as well as "the external edit list" because the edit lists contained in the templates and the proxy editorial plug-in device 73 are considered as the embedded edit list possessing functions for displaying, templates, editing and importing of files, in addition to basic editorial functions on low-resolution images (See column 14, lines 57-65) and the proxy editorial software 84 at the server's end contains a plurality of external edit lists operating as a backstage function which supports the proxy editorial plug-in device 73 of the client's end and performs in accordance with demands given by the CGI allowing downloading of templates requested by the client (See column 14, lines 66-67 and column 15, lines 1-16).

Therefore, Yokomizo discloses "associating a state information file to the image object" or associating a Java applet file to the image object (In column 12, lines 47-50, the Java applet as prepared by the server is downloaded to the user's computer. In column 14, lines 44-46 wherein Yokomizo discloses downloading a designated file to a client (user) 7; in column 14, lines 57-65, Yokomizo discloses the basic editorial functions *to be affected* on low-resolution images; in column 15, lines 1-16, Yokomizo discloses downloading of templates from the server as requested by the client and the database file 85 at the server's end can be accessed by the client through the ODBC interface) whereby the Java applet comprises an edit list having an embedded

edit list (a basic editorial function list) and an external edit list (the Java applet requires accessing of templates or data from the server's end through the CGI program or ODBC interface; see column 14, line 44 to column 15, line 16); forwarding the low-resolution image object (i.e., the low-resolution thumbnail image or the proxy image to the client) and the associated state information file to the second node (forwarding through downloading or through delivery of CD-Rom to the client end); appropriately rasterizing the low resolution image object based upon the second output device as needed (e.g., the basic editing functions includes rotation, conversion, moving and synthesis; column 14 and rasterization includes red-eye processing in Figs. 5-6. It is noted in column 11, lines 6-15 the rasterization can also be performed at the server's end on the high-resolution image based on red-eye processing); outputting the appropriately rasterized image object at the second output device (e.g., displaying the edited image at the client's end; for example the thumbnail image can be enlarged at a greater scale; see column 12, lines 30-45 and in column 13, lines 20-28, the user can print out the image thus downloaded and edited and thereby Yokomizo discloses outputting the edited or rasterized image at the client end wherein editing includes rasterizing such as red eye processing).

6. On Page 6 of the Appeal Brief, applicant argues in essence with respect to the Claim 1 and similar claims that:

> (B) "...In applicant's claims, contrary in clear distinction to this, a stayed information file is associated with a high-resolution image object. A low-resolution image object and the associated stayed information file are forwarded to a second node at which the low resolution image object is rasterized...."

In response to the arguments in (B), appellant failed to particularly point out "the image object" (or lacking precedent basis) within the claim limitation of "associating a state information file to the image object" set forth in line 6 of the claim 1. It thus cannot be ascertained whether associating the state information file to "the high-resolution image object" or "the low-resolution image object." Therefore, appellant's argument does not correct indefiniteness of the claim language set forth in the claim 1. Since the appeal claim 1 is presented after Final Rejection and the Examiner has indicated in the Advisory Action that the amended claim 1 is rejected over Yokomizo, the amended claim 1 and similar claims should also be rejected under 112 second paragraph.

7. On Page 7 of the Appeal Brief, applicant argues in essence with respect to the Claim 1 and similar claims that:

> (C) "In Paragraph 3, the examiner argues that Yokomizo teaches rasterizing the image object based on the second output device as needed, referring to Column 11, lines 5-20. Reference to that portion of Yokomizo reveals that Yokomizo is referring to the dealer branch shop at which editorial information is linked with the high-resolution image for printing...Thus, when the examiner asserts in Paragraph 4 of the advisory action that Yokomizo teaches outputting the 'appropriately rasterized' image object at the second output device, he is talking not about rasterizing a low-resolution image, but specifically about rasterizing a high resolution image..."

In response to the arguments in (C), although appellant is correct that the editorial information is linked with the high-resolution image at the server's end, Yokomizo discloses rasterizing the low-resolution image at the client's end as well. Thus, Yokomizo teaches the claim limitation of appropriately rasterizing the low-resolution image object based upon the second output device as needed. This is because the basic editing functions includes rotation, conversion, moving and synthesis; column 14 and rasterization includes red-eye processing in Figs. 5-6. Yokomizo edits the low-resolution image at the client's end using *the rasterization function including red-eye processing*. Although Yokomizo teaches in column 11, lines 6-15 that the rasterization can also be performed at the server's end on the high-resolution image based on red-eye processing, this does not prevent Yokomizo from rasterizing the low-resolution image at the client's end since rasteriziation functions are enabled at the client's end as well as the server's end. Finally, Yokomizo discloses displaying the edited image at the client's end; for example the thumbnail image can be enlarged at a greater scale; see column 12, lines 30-45 and in column 13, lines 20-28, the user can print out the image thus downloaded and edited and thereby Yokomizo discloses *outputting* the edited or rasterized image at the client end wherein editing includes rasterizing such as red eye processing.

8. On Pages 7-8 of the Appeal Brief, applicant argues in essence with respect to the Claim 1 and similar claims that:

> (D) "Yokomizo goes on to say that upon receipt of the editorial information from the HQ shop, the branch shop executes editorial processing on the high-resolution image which has been stored on the disc...Quite clearly, this is the opposite of applicant's claimed

invention in which it is the low-resolution image that is edited according to the edit list and printed..."

In response to the arguments in (D), it is not clear from the claim language set forth in the amended claim 1 that the claim 1 requires the edit list is associated with the high-resolution image since the claim 1 set forth "associating a state information file to the image object" and what image object appellant refers to, be it high-resolution or low-resolution, is unknown. Moreover, although the editorial information is linked with the high-resolution image at the server's end, Yokomizo discloses rasterizing the low-resolution image at the client's end as well. Thus, Yokomizo teaches the claim limitation of appropriately rasterizing the low resolution image object based upon the second output device as needed. This is because the basic editing functions includes rotation, conversion, moving and synthesis; column 14 and rasterization includes red-eye processing in Figs. 5-6. Yokomizo edits the low-resolution image at the client's end using the rasterization function including red-eye processing. It is noted in column 11, lines 6-15 the rasterization can also be performed at the server's end on the high-resolution image based on red-eye processing. This does not prevent Yokomizo from rasterizing the low-resolution image at the client end since rasteriziation functions are enabled at the client end as well as the server's end.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

jcw

Conferees:

Mike Razavi

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